69.   (New) The method of claim 1 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

70.   (New) The method of claim 14 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

71.   (New) The method of claim 64 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

REMARKS

Consideration of this preliminary amendment is respectfully requested prior to examination of this application.

Dated this 21st day of February 2003.

Respectfully submitted,

By: _____
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Marked-Up Version:

1. (Amended) A method of selecting <u>preferred video segments</u> and excluding <u>unwanted</u> video segments <u>from a plurality of video segments</u> [in] <u>within</u> a video stream [to be viewed by a viewer] comprising:

    [placing] <u>encoding</u> markers [in] <u>within</u> said video stream<u>, said markers having a position in said video stream</u> that indicate<u>s</u> <u>a division</u> [the position of a division] between said <u>plurality of</u> video segments of said video stream;

    [placing] <u>encoding</u> tags [in] <u>within</u> said video stream that indicate content of each video segment;

    using video preference information of said viewer to select <u>said preferred video segments</u> and exclude <u>said unwanted</u> video segments by comparing said tags with said video preference information of said viewer[;]<u>.</u>

    [inserting alternate video segments that replace video segments that have been excluded by said viewer.]

2. (Amended) The method of claim 1 wherein said step of [placing] <u>encoding</u> tags within said video stream comprises [placing] <u>encoding</u> key words, within said video stream, relating to the content of said video stream and comparing said key words with said preference information to select <u>said preferred video segments</u> and exclude <u>said unwanted</u> video segments.

3. (Amended) The method of claim 1 wherein the step of [placing] <u>encoding</u> tags within said video stream <u>and the step of encoding markers within said video stream</u> comprise[s] [placing] <u>encoding</u> tags <u>and markers</u> manually by use of a computer within said video stream.

4. (Amended) The method of claim 1 wherein the step of [placing] <u>encoding</u> tags within said video stream <u>and the step of encoding markers within said video stream</u> comprise[s] [placing] <u>encoding</u> tags <u>and markers</u> automatically by use of voice recognition techniques [that indicate said content of said video stream].

5.   (Amended) The method of claim 1 wherein said step of [placing] <u>encoding</u> markers within said video stream <u>and said step of encoding tags within said video stream</u> comprise[s] automatically [placing] <u>encoding said</u> markers <u>and said tags</u> [in] <u>within</u> said video stream based upon <u>detection of</u> change of scenes.

6.   (Amended) The method of claim 1 wherein said step of selecting <u>preferred video segments</u> and excluding said <u>unwanted</u> video segments within said video stream comprises comparing key words that are input by said viewer with key words that have been placed within said video stream.

7.   (Amended) The method of claim 1 wherein said step of [placing] <u>encoding</u> tags within said video stream comprises placing information from an Electronic Programming Guide into said video stream.

8.   (Amended) The method of claim 1 wherein said step of [placing] <u>encoding</u> said tags [into] <u>within</u> said video stream <u>and said step of encoding said markers within said video stream</u> further comprises placing said tags <u>and said markers</u> in a vertical blanking interval within said video stream.

14.   (Amended) A method of excluding <u>unwanted</u> video segments <u>from a plurality of video segments</u> [in] <u>within</u> a video stream [to be viewed by a viewer] comprising:

        [placing] <u>encoding</u> markers [in] <u>within</u> said video stream<u>, said markers having a position in said video stream</u> that indicate<u>s a division</u> [the position of a division] between said <u>plurality of</u> video segments of said video stream;

        [placing] <u>encoding</u> tags [in] <u>within</u> said video stream that indicate content of each video [stream] <u>segment</u>;

        using video preference information of said viewer to exclude <u>said unwanted</u> video segments by comparing said tags with said video preference information of said viewer[;]<u>.</u>

[inserting alternate video segments that replace video segments that have been excluded by said viewer.]

15. (Amended) A method of selecting <u>preferred video segments</u> and excluding <u>unwanted</u> video segments <u>from a plurality of video segments</u> [in] <u>within</u> a video stream [to be viewed by a viewer] comprising:

[placing] <u>encoding</u> markers [in] <u>within</u> said video stream<u>, said markers having a position in said video stream</u> that indicate<u>s</u> <u>a division</u> [the position of a division] between said <u>plurality of</u> video segments of said video stream;

[placing] <u>encoding</u> tags [in] <u>within</u> said video stream that indicate content of each video [stream] <u>segment</u>;

storing said video content at said viewer's premises in local storage;

using video preference information of said viewer to select <u>said preferred video segments</u> and exclude <u>said unwanted</u> video segments by comparing said tags with said video preference information of said viewer;

downloading said [selected] <u>preferred</u> video segments from said video content stored in said local storage for viewing by said viewer.

16. (Amended) A method of selecting <u>preferred video segments</u> and excluding <u>unwanted</u> video segments <u>from a plurality of video segments</u> [in] <u>within</u> a video stream [to be viewed by a viewer] comprising:

[placing] <u>encoding</u> markers [in] <u>within</u> said video stream<u>, said markers having a position in said video stream</u> that indicate<u>s</u> <u>a division</u> [the position of a division] between said <u>plurality of</u> video segments of said video stream;

[placing] <u>encoding</u> [tags in] <u>key words within</u> said video stream that indicate content of each video [stream] <u>segment</u>;

[using video preference information of said viewer to select and exclude video segments by comparing said tags with said video preference information of said viewer;]

[placing key words within said video stream that relate to the content of said video stream and] comparing said key words with [said] preference information to select <u>said preferred video segments</u> and exclude <u>said unwanted</u> video segments.

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17.   (Amended) A method of selecting preferred video segments from a plurality of video segments in a video stream [to be viewed by a viewer] comprising:

[placing] encoding markers [in] within said video stream, said markers having a position in said video stream that indicates a division [the position of a division] between said plurality of video segments of said video stream;

[placing] encoding [tags in] keywords within said video stream that indicate content of each video [stream] segment;

using video preference information of said viewer to select said preferred video segments by comparing said [tags] key words with said video preference information of said viewer[;].

[placing key words within said video stream that relate to the content of said video stream and comparing said key words with said preference information to select video segments.]

18.   (Amended) A method of excluding unwanted video segments from a plurality of video segments [in] within a video stream [to be viewed by a viewer] comprising:

[placing] encoding markers [in] within said video stream, said markers having a position in said video stream that indicates a division [the position of a division] between said plurality of video segments of said video stream;

[placing] encoding [tags in] keywords within said video stream that indicate content of each video [stream] segment;

using video preference information of said viewer to exclude said unwanted video segments by comparing said [tags] key words with said video preference information of said viewer[;].

[placing key words within said video stream that relate to the content of said video stream and comparing said key words with said preference information to exclude video segments.]

19.   (Amended) A system for selecting [and excluding] <u>preferred</u> video segments <u>from a</u> <u>plurality of video segments</u> in a video stream <u>to create a selected video stream</u> to be viewed by a viewer comprising:

an encoder that encodes said video stream with tags and markers to generate an encoded video stream;

a set-top box that receives said encoded video stream and separates said tags and said markers from said encoded video stream to generate an un-encoded video stream;

a video database, coupled to said set-top box, that stores said un-encoded video stream [and generates a selected video stream];

a comparator, coupled to said set-top box, that receives said tags and said markers and viewer preferences and compares said tags with said viewer preferences to generate pointers, that point to locations of video segments in said video database, and that select [and exclude] said <u>preferred</u> video segments from said video database to generate said selected video stream.

25.   (Amended) The system of claim 19 wherein said markers <u>and said tags</u> are encoded as analog data in said video stream to generate said encoded video stream.

26.   (Amended) The system of claim 19 wherein said markers <u>and said tags</u> are encoded as digital data in said video stream to generate said encoded video stream.

29.   (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted</u> <u>into said video stream to indicate content of each video segment</u> by <u>automatic detection</u> <u>of</u> changes in flesh tone within said video stream.

30.   (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted</u> <u>into said video stream to indicate content of each video segment</u> by <u>automatic detection</u> <u>of</u> changes in audio levels within said video stream.

31. (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted into said video stream to indicate content of each video segment</u> by <u>automatic detection of</u> changes in light levels within said video stream.

32. (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted into said video stream to indicate content of each video segment</u> by <u>automatic detection of</u> changes in color within said video stream.

34. (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted into said video stream to indicate content of each video segment</u> by <u>automatic detection of</u> changes in music within said video stream.

35. (Amended) The system of claim 19 wherein said markers are inserted into said video stream to indicate the division between <u>said</u> video segments <u>and said tags are inserted into said video stream to indicate content of each video segment</u> by <u>automatic detection</u> of changes in scenery within said video stream.

36. (Amended) The system of claim 19 wherein said <u>plurality of</u> video segments in said video stream comprise a [real-time] <u>live broadcast</u> signal that is sent to said set-top box at a viewer's premises.

37. (Amended) The system of claim 19 wherein said <u>plurality of</u> video segments in said video stream comprise a delayed signal that <u>is</u> sent to said set-top box at a viewer's premises.

39. (Amended) A system for selecting <u>preferred video segments</u> and excluding <u>unwanted</u> video segments <u>from a plurality of video segments</u> in a video stream [to be viewed by a viewer] comprising:

a personal video recorder coupled to an input of said set-top box that filters said video stream to provide said video segments to be viewed by said viewer;

an encoder that encodes said video stream with tags and markers to generate an encoded video stream;

a set-top box that receives said encoded video stream and separates said tags and said markers from said encoded video stream to generate an un-encoded video stream;

a video database, coupled to said set-top box, that stores said un-encoded video stream [and generates a selected video stream];

a comparator, coupled to said set-top box, that receives said tags and said markers and viewer preferences and compares said tags with said viewer preferences to generate pointers, that point to locations of video segments in said video database, and that select said preferred video segments to generate a selected video stream and exclude said unwanted video segments from said video database [to generate said selected video stream].

42.	(Amended) A system for selecting one of an encoded regular [broadcast] video stream, that has been encoded with tags and markers, and an encoded alternate video stream that has been encoded with tags and markers comprising:

a video blanking interval decoder that separates said tags and said markers from said encoded regular [broadcast] video stream;

a comparator, coupled to said video blanking interval decoder, that receives said tags and said markers and viewer preferences and compares said tags with said viewer preferences to select [and exclude said video segments] one of said encoded regular video stream and said encoded alternate video stream;

a storage device, coupled to said comparator, that stores said viewer preferences of said viewer;

a filter/switch, coupled to said comparator and said video blanking interval decoder, that uses comparison data to generate a request signal for said alternate video segments;

a video-on-demand system[, located at a headend,] that receives said request signal for said alternate video segments and sends said alternate video segments to said filter/switch.

63.   (New) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

        encoding markers within said video stream; said markers having a position in said video stream that indicates a division between said plurality of video segments of said video stream, by using voice recognition;

        encoding tags, that indicate content of each video segment, within said video stream by using voice recognition;

        using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments by comparing said tags with said video preference information of said viewer.

64.   (New) A method of selecting preferred video segments and excluding unwanted video segments from a plurality of video segments within a video stream comprising:

        encoding markers within said video stream during live transmission of said video stream that indicate the position of a division between said plurality of video segments of said video stream;

        encoding tags within said video stream during live transmission of said video stream that indicate content of each video segment;

        using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments by comparing said tags with said video preference information of said viewer.

65.   (New) A system for selecting preferred video segments from a plurality of video segments in a video stream in real time to create a selected video stream to be viewed by a viewer comprising:

an encoder that automatically encodes said video stream during live transmission of said video stream with tags and markers to generate a live encoded video stream;

a set-top box that receives said live encoded video stream and separates said tags and said markers from said live encoded video stream to generate an un-encoded video stream;

a video database, coupled to said set-top box, that stores said un-encoded video stream;

a comparator, coupled to said set-top box, that receives said tags and said markers and viewer preferences and compares said tags with said viewer preferences to generate pointers that point to locations of video segments in said video database for selecting said preferred video segments from said video database to generate said selected video stream.

66.   (New) The system of claim 19 wherein said tags and said markers are encoded within said video stream by using voice recognition.

67.   (New) The system of claim 19 wherein said tags and said markers are encoded within said video stream by automatic detection of changes in flesh tone and music within said video stream.

68.   (New) The method of claim 1 wherein said step of encoding tags within said video stream and said step of encoding markers within said video stream comprise encoding tags and markers automatically by detecting changes in flesh tone and music within said video stream.

69.   (New) The method of claim 1 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

70.   (New) The method of claim 14 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.

71.   (New) The method of claim 64 wherein said step of using video preference information of said viewer to select said preferred video segments and exclude said unwanted video segments further comprises inserting alternate video segments that replace said unwanted video segments that have been excluded by said viewer.